

3896. Misbranding of Sur-San Powder. U. S. v. 81 Kits, etc. (and 1 other seizure action). (F. D. C. No. 30922. Sample Nos. 19015-L, 19016-L.)

LIBELS FILED: April 19, 1951, District of Minnesota.

ALLEGED SHIPMENT: On or about June 19, 25, and 29, 1950, by the Sur-San Co., from Des Moines, Iowa.

PRODUCT: 81 kits, each containing a tube and bulb and 2 3-ounce bottles of *Sur-San Powder*, and 29 kits, each containing a tube and bulb and 1 3-ounce bottle of *Sur-San Powder*, at Minneapolis, Minn., together with various circulars entitled "What Is Sur-San?"

Examination showed that the article consisted essentially of boric acid and alum, with small proportions of thymol, eucalyptol, methyl salicylate, and menthol.

LABEL, IN PART: "Sur-San * * * Astringent Vaginal Deodorant Powder."

NATURE OF CHARGE: Misbranding, Section 502 (a), the following statements in the circular were false and misleading since the article was not effective for the conditions stated and implied nor for the purposes mentioned: "Why I Should Use Sur-San! The secret to a perfect home is perfect health * * * Feminine Hygiene * * * alleviate—itching burning sensations—of the vaginal tract—thereby eliminating offensive discharge so common to most women * * * it is invaluable to the vaginal tract * * * Ladies going through the menopause * * * Younger women swear by it at their menstrual period—as it contains an ingredient which has a tendency to subdue these bearing down pains. * * * Sur-San has been known to clear up conditions in a very few treatments—which in some cases were of long standing. * * * It corrects the condition * * * Sur-San was primarily gotten out for the woman who cannot afford to go to her doctor frequently. It is a Home treatment. * * * Sur-San is also very efficacious in cases of * * * profuse bleeding caused from cuts. Apply on cut until blood coagulates before your doctor comes."

DISPOSITION: October 7, 1952. Default decrees of condemnation and destruction.

3897. Misbranding of Persulan hair ointment. U. S. v. 1 Jar, etc. (F. D. C. No. 32534. Sample No. 33691-L.)

LIBEL FILED: February 20, 1952, Northern District of Illinois.

ALLEGED SHIPMENT: On or about May 21, June 19, October 26, and December 27, 1951, and January 7, 1952, by Drake Laboratories, Inc., from Detroit, Mich.

PRODUCT: *Persulan hair ointment*. 1 1-pound jar, 2 8-ounce jars, 2 4-ounce jars, 47 2-ounce jars, and 33 ½-ounce jars; 126 sets, each containing 1 2-ounce jar and 1 ½-ounce jar; and 520 cartons, each containing 1 2-ounce jar and 5 ½-ounce jars, at Chicago, Ill., together with a leaflet headed "Pertinent Facts About Persulan" accompanying each jar, and 82 envelopes known as "Guarantee Sets" which were shipped with the product.

LABEL, IN PART: (Jar) "Persulan * * * Contains Balsam Peru, Sulphur Prec., Lanolin, Resorcinol, Jaborandi Tinct."

NATURE OF CHARGE: Misbranding, Section 502 (a), certain statements in the labeling of the article, namely, on the carton labels and in the above-mentioned printed and graphic matter which accompanied the article, were false and misleading. The statements represented and suggested that the article was an adequate and effective treatment for baldness, itchy scalp ringworm, scalp